IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.1160 OF 2005

Boys Organisation of Social Service. .. .. Petitioner

v/s.

State of Maharashtra & ors. .. .. Respondents

Ms.Maharukh Adenwalla for petitioner.

Mr.Pradeep Jadhav, AGP for res.No.1.

Ms.A.K.Savla for res.Nos.2 & 3.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATE : 29TH APRIL 2005

P.C. :

1. Heard the learned Counsel for the parties.

2. The petition is filed on behalf of the persons whose names are listed at Exhibit ‘E’ to the petition. Their dwelling houses have been removed for construction of a road and pond filling in the Adarsh Nagar area situated at Bainganwadi, Shivaji Nagar, Govandi, Mumbai. Ms.Savla appearing for respondent Nos.2 and 3, states, on instructions, that from amongst these persons whose names appear at Sr.Nos.1, 2, 5, 6,

7, 8, 10, 11 and 15 are eligible for an alternate site. Alternate sites are ready and the persons concerned ought to shift over there. As far as the remaining persons are concerned, it will be open to them to point out to the Municipal and Government Authorities whatever are their rights including on the basis of the Government Resolution dated 11th July 2001. We make it clear that we are not deciding that this Resolution applies to such slum dwellers on the municipal lands or that it does not apply. Petition disposed of.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)